IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
FRIDAY, THE TWENTY FIFTH DAY OF JUNE
TWO THOUSAND AND FOUR
PRESENT
THE HON'BLE MR JUSTICE G. BIKSHAPATHY
and
THE HON'BLE MR JUSTICE B.SESHASAYANA REDDY

WRIT APPEAL NO : 922 of 2004

Writ Appeal under Clause 15 of the Letters Patent against the Order dated 08/04/2004 in WP NO: 3481 OF 1995 on the file of the High Court.

Between:

1 A. Jaganmohan Reddy, S/o. A.Chinna Reddy,
HYDERABAD.
2 Girish Kulkarni, S/o. Digambar Rao,
HYDERABAD.
3 B. Lingaiah, S/o. B. Balaiah,
HYDERABAD.

.....
APPELLANTS

AND

1 Osmania University through its Registrar at Hyderabad.
2 State of A.P. through its Principal Secretary, Social Welfare Department,
at Secretariat, Hyderabad.
3 Director of Scocial Welfare, A.P., at Hyderabad.

.....RESPONDENTS

Counsel for the Appellant: MR.K.RAGHUVEER REDDY

Counsel for the Respondents: MR.DEEPAK BHATTACHARJEE

The Court Made the Following :

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JUDGMENT: (Per the Hon'ble Sri Justice G.Bikshapathy)

This writ appeal is filed challenging the order passed by the learned single Judge in W.P.No.3481 of 1995, dated 08.04.2004.

2. Even though the writ appeal was filed by six petitioners, before us only three appellants are there.

3. It is the case of the petitioners-appellants that they were appointed in 1982-83 having pursuance to the scheme introduced by the Government in the name of Educational Vocational Guidance & Training. The entire funds required for running this scheme were funded by the state Government from time to time.

4. However, the scheme was abandoned in the year 1995, consequently the services of the petitioners came to be terminated. At that point of time, the petitioners filed writ petition No.3481 of 1995 and this Court granted interim direction to continue the petitioners in service. Finally the writ petition came to be dismissed by an order, dated 08.04.2004. Aggrieved by the same, the present writ appeal is filed.

5. Learned counsel for the appellants submits that the petitioners have been working from the year 1982, having put in 22 years of service, if, at this point of time their services are terminated, they will be put to untold miseries and they will not get any employment out side as they are over aged for all the

services either in the Government or private. He further submitted that the order of the learned single Judge is liable to be modified and the University may directed to continue them in service in the available post.

6. The learned counsel for the respondents however submits that the University has never appointed the appellants-petitioners in their establishment but in pursuance of the scheme sanctioned by the state Government they were appointed under the said scheme and the Government has been providing funds for the implementation of the scheme and for payment of salaries to the employees appointed under the said scheme. When the scheme was abandoned in 1995 the question of considering them in to service would not arise. However, when the directions were issued by this Court, in order to implement the said directions they were continued in service by sacrificing the university funds for this purpose. Now that the petitioners have no right to be continued in the scheme which is already abandoned and the university also has no proper vacancies to consider the petitioners for appointment in the regular vacancies.

7. It is not in dispute that the petitioners were appointed under the said scheme and they were continued in service till the scheme is abandoned. This scheme was itself discontinued in the year 1995 and the services of the petitioners could not be continued in service from the day when the scheme was abandoned. We do not find any ground to continue the petitioners in service as no right is accrued to the petitioners for absorption in the university service.

8. Thus, we do not find any ground to interfere with the order passed by the learned single Judge. Accordingly, the writ appeal is dismissed. No order as to costs.

ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

Copy to:

1. Osmania University through its Registrar at Hyderabad.
2 State of A.P. through its Principal Secretary, Social Welfare Department, at Secretariat, Hyderabad.
3 Director of Scocial Welfare, A.P., at Hyderabad.

YCR